IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

WP(C).No. 23487 of 2007(U)

PETITIONER:

SONY MATHEW, H.S.A(MATHS),
KUTTIKATTUMANNIL, THIRUVAMPADY P.O.,
KOZHIKODE DISTRICT, PIN-673 693.

BY ADV. SRI.P.I.DAVIS

RESPONDENTS:

---

1. STATE OF KERALA, REP. BY ITS
SECRETARY, GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.

3. DISTRICT EDUCATIONAL OFFICER, KOZHIKODE.

4. MANAGER,
ST.JOSEPH'S BOYS
HIGHER SECONDARY SCHOOL, KOZHIKODE.

BY GOVT.PLEADER SRI.A.J.VARTHSE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

- -

W.P(C) No.23487 of 2007

- -

Dated this the 1st day of August, 2007.

J U D G M E N T

Petitioner is a High School Assistant in Mathematics who is stated to be presently working in the school under the management of respondent No.4. According to him, he had worked in temporary vacancies for short spells right from October 1999 till September 2003. All those vacancies were approved. Later he was appointed against a permanent vacancy with effect from July 11, 2005. It is contended by the petitioner that the said appointment was also approved, as could be seen from Ext.P1.

2. Problem arose when in the course of staff fixation for the academic year 2006-2007, the Controlling Officer found that the petitioner had to be trenched, he being the juniormost.

3. It is not in dispute that the above order was challenged before the Director of Public Instruction who dismissed the appeal by order dated 19/6/2007, a copy of which is on record as Ext.P5. Learned counsel submits that petitioner has preferred Ext.P6 revision petition against the above order before respondent No.1. The limited prayer is to issue a direction to respondent No.1 to take a decision on Ext.P6 expeditiously. Therefore I do not deem it necessary to deal with the merit of any of the contentions raised by the petitioner.

4. Learned Government Pleader submits that if Ext.P6 has been preferred as contended by the petitioner, a decision thereon will

be taken without any delay.

In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P6 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within 4 months from the date of receipt of a copy of this judgment. Needless to mention, respondent No.1 shall assure that petitioner, the manager and any other teacher who is likely to be affected by the order that may be passed are afforded sufficient opportunity to be heard before any decision is taken in the matter.

an. **A.K. Basheer, Judge.**